

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NATIONAL LABOR RELATIONS BOARD

Applicant,

v.

MAURICE SMOTHERS

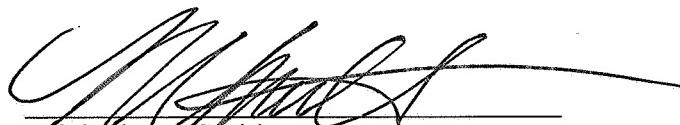
Respondent.

Case No.: CV-07-80171 – MISC.
Magistrate Wayne D. Brazil

NOTICE OF DISMISSAL

Applicant, National Labor Relations Board (the Board), hereby files this Notice of Dismissal without prejudice, each party to bear its own costs, pursuant to Rule 41(a)(i) of the Federal Rules of Civil Procedure. On July 31, 2007, Respondent, Maurice Smothers, provided testimony via deposition and as such has complied with the Applicant's subpoena ad testificandum. Thus, the hearing currently scheduled with this Court on August 29, 2007 at 3 p.m. is no longer necessary and Applicant respectfully requests that the above-entitled matter be dismissed.

DATED AT Oakland, California this 28th day of August, 2007.



Michelle M. Smith
Attorney for Applicant